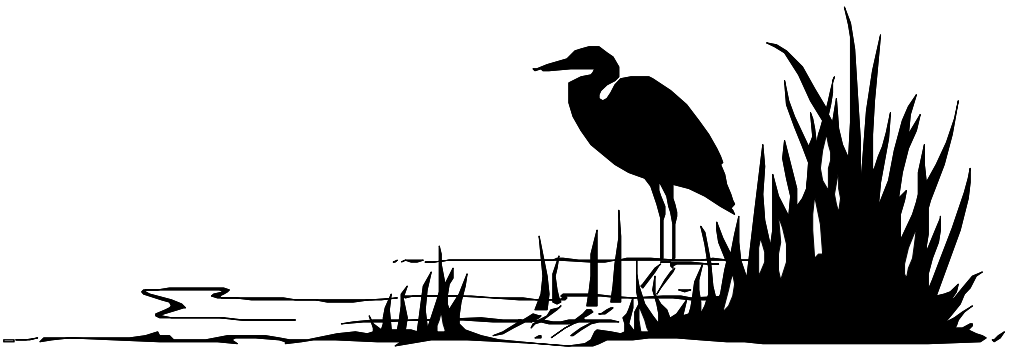

ENVIRONMENTAL ASSESSMENT

Conservation Easement Program

MISSION VALLEY OF WESTERN MONTANA

United States Department of the Interior

U.S. Fish and Wildlife Service January 1998

ENVIRONMENTAL ASSESSMENT

Conservation Easement Program

MISSION VALLEY OF WESTERN MONTANA

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CHAPTER 1. PURPOSE OF AND NEED FOR ACTION

INTRODUCTION

The Mission Valley has long been recognized as important wildlife habitat area. The extraordinary assortment of wildlife illustrates the importance of conserving and protecting habitat in the area. High densities of wetlands surrounded by grasslands produce quality nesting habitat for ground-nesting waterfowl, raptors, and songbirds. Such superb ground nesting habitat for migrating species is in a relative few states (MT, ND, SD, MN, and AK). The area is one of the only places on the continent that provides both nesting habitat in the spring and foraging habitat in the winter for migratory waterfowl. The valley also provides a superb riparian corridor habitat for threatened and endangered species such as grizzly bears (*Ursus arctos horribilis*), bald eagles (*Haliaeetus leucocephalus*), and peregrine falcons (*Falco peregrinus*). Grizzly bears follow riparian zones downstream and utilize the riparian stringers coming off the Mission Front as feeding sites, cover, and movement corridors.

Historically, the Mission Valley grassland habitat was palouse prairie with interspersed wetlands. Some species that historically nested in the valley were exterminated from the area such as Columbian sharp-tailed grouse (*Tympanuchus phasianellus*), trumpeter swan (*Cygnus buccinator*), and peregrine falcon. Only the falcon has been restored in recent years. Traditional agriculture and ranching practices caused moderate impacts to wildlife populations but no impacts that are as permanent as housing development. Agriculture operations are not as intense in this valley as in much of the nation and thus there are few listed threatened and endangered species and other species are in relative abundance when compared to the rest of the United States.

Over time, the grassland habitat has been modified to nonnative prairie, such as, introduced tame grass species. Although no longer palouse prairie, these tracts can still provide superb nesting and foraging habitat for migratory birds. However, subdivision for housing development, is destroying habitat irreparably compared to farming and ranching which are relatively compatible.

The U.S. Fish and Wildlife Service (Service) currently has three management programs for the protection of resources under the National Wildlife Refuge System; a Waterfowl Production Area, a Wildlife Management Area, or a Refuge Unit. For the purpose of the Conservation Easement Program within the Mission Valley, the Service proposes to use the Wildlife Management Area as the management program. The Service's Conservation Easement program began in western Montana in 1993. Private landowners quickly and enthusiastically inquired and enrolled in the easement program. Easements prohibit the fee title owner from subdividing and developing a subject tract of land, but ownership remains with the fee title owner. Conservation easements, either donated to The Montana Land Reliance, or the U.S. Fish and Wildlife Service or purchased by the Service have already protected more than four thousand additional acres of wildlife habitat in this valley without removing economic use of the land for agriculture.

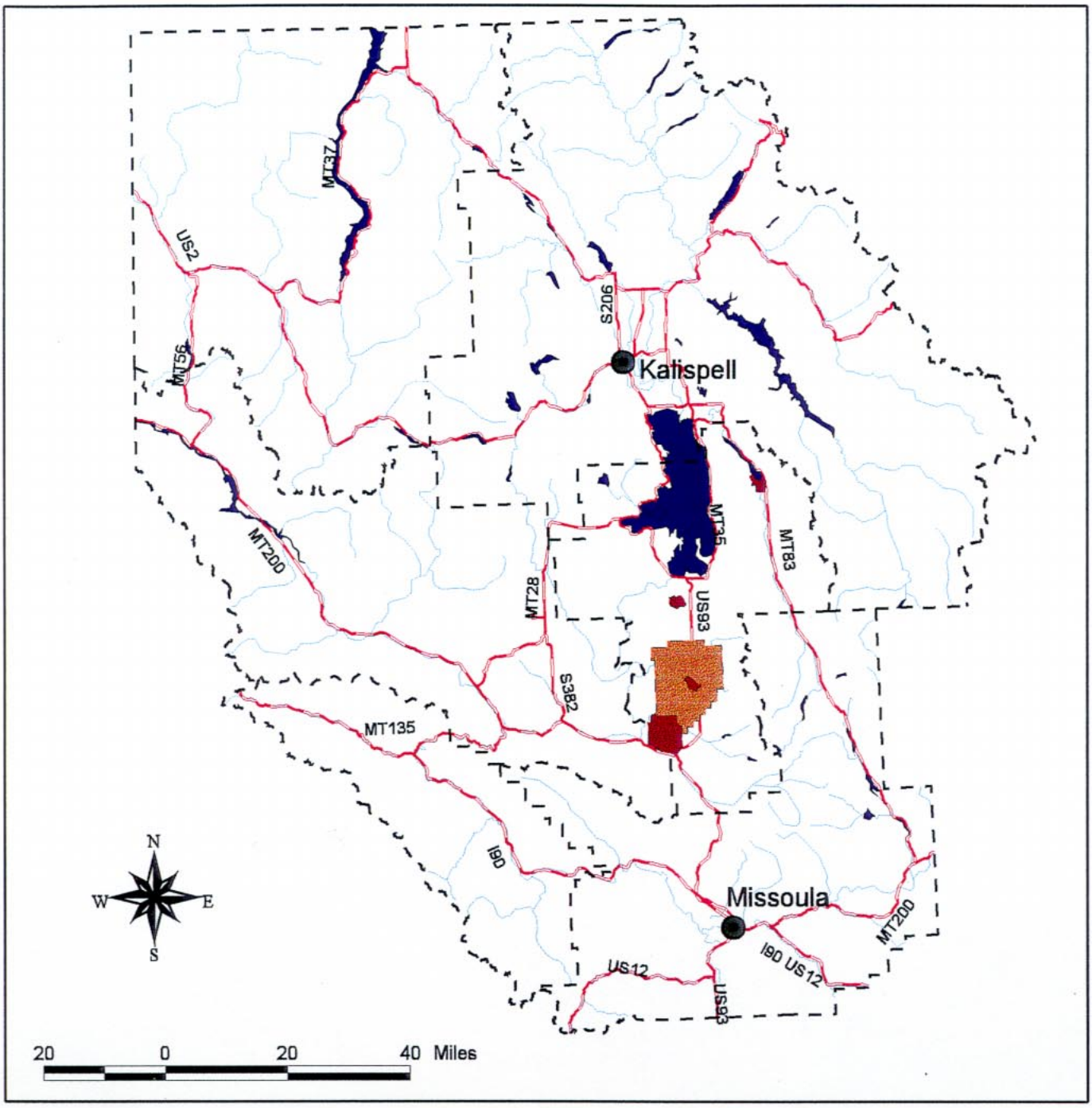
This environmental assessment evaluates the proposed establishment of conservation efforts in the grassland and riparian ecosystem of the Mission Valley/Ninepipe National Wildlife Refuge ecosystem (see Figure 1). Protection of open space and traditional farm/ ranch operations and protection of the above-mentioned wildlife species would be the goal of this proposal.

Proposed Action

The purpose of this project is to conserve the diversity and abundance of fauna and flora in a core area that is extremely important and very threatened with permanent damage. Most all resource conservation will be accomplished by acquiring conservation easements on lands surrounding the Ninepipe National Wildlife Refuge and other protected wildlands. Some lands may be purchased in fee title if conservation easements are not a viable option. The mission of the National Wildlife Refuge System is "to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations" (National Wildlife Refuge System Administration Act of 1997). This mission can be accomplished in part by conserving fish and wildlife habitat within refuges. Adjoining lands within the ecosystem can be conserved by forming conservation partnerships with private land owners, other Federal agencies, Tribes, State agencies, non-government organizations, industry, and the general public.

Project Study Area

The project study area is located on grassland and wetlands surrounding Ninepipe National Wildlife Refuge and extends southward to include riparian areas near the National Bison Range (see Figure 2). The Ninepipe ecosystem is an intermountain grassland with wetlands interspersed in high densities. It is located approximately 50 miles north of Missoula, Montana and 60 miles south of Glacier National Park. The Mission Mountains border the area on the east, Moiese Hills on the west, and National Bison Range on the south. Most of the area is part of a glacial terminal



National Wildlife Refuge

Study Area

County Lines

Highways

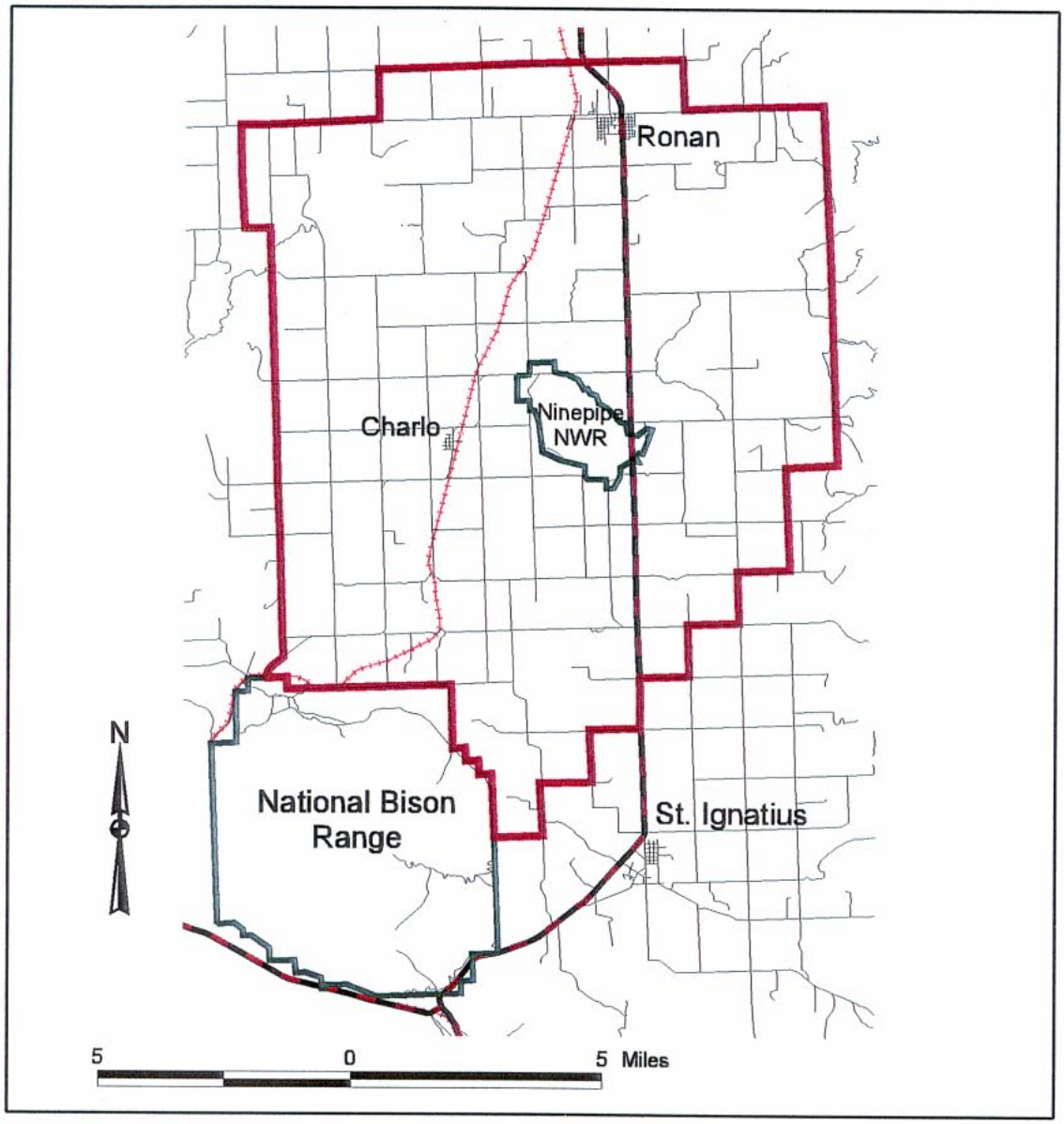
Lakes

Rivers

Project Location

Figure 1

Conservation Easement Program
Mission Valley Montana



Roads
Study Area
Highways
Railroads

Figure 2

moraine with numerous kettle wetlands in a prairie landscape. Densities of wetland basins within the valley reach 200 per square mile. Grasslands are a mixture of mostly introduced species with remnant native plant communities.

Wetlands are primarily palustrine emergent basins of various water regimes. Alfalfa, tame grazing grasslands, and small grains dominate the agricultural lands.

Decisions to be Made

Based on the analysis documented in this environmental assessment (EA), the following decisions will be made by the Mountain-Prairie Regional Director of the U.S. Fish and Wildlife Service:

1. Determine whether the Service should establish the Mission Valley Wildlife Management Area (WMA). If yes,
2. Select an approved Wildlife Management Area boundary that best fulfills the habitat protection purpose.
3. Determine whether the preferred alternative would have a significant impact upon the quality of the human environment.

Issues Identification

The Service conducted biological, social, and economic investigation and considered comments from landowners, conservation groups, agencies, and interested citizens. Based on this review, the Service selected issues and concerns for analysis for this EA. The EA focuses on biological issues related to protection of grasslands, wetlands, riparian corridors, sensitive wildlife species, water resources, social and economic issues related to land ownership, and public use.

Biological Issues

Wildlife Habitat Protection

- The Mission Valley WMA is proposed to protect and maintain habitat for migratory birds and other wildlife, provide corridors for wildlife dispersal (i.e., threatened grizzly bear), and reduce nest predation problems associated with isolated habitats (i.e., ground-nesting waterfowl and declining grassland neotropical migrant songbirds) on urban areas through conservation easements. Wetland restoration and enhancement on easement tracts could positively influence diversity and abundance of nongame and game wildlife on easement tracts as well as surrounding protected areas.

Water Resources

- Ground water could be polluted or depleted with increased subdivision. Surface water may decrease in quality and quantity if landowners manipulate or degrade creeks and streams. Subdivision and subsequent housing development are considerably more hazardous to wetland resources than other land uses, such as agriculture. There is little chance for wetland restoration if the land base is sold in small tracts and houses are built. Development could also change drainage patterns or rate of surface runoff decreasing the amount of water available for agricultural use. As more people move into the area and the land is subdivided, water rights could be questioned and challenged more regularly. Other landowners may be affected by quantity and quality available for use.

Social and Economic Issues

Land Ownership

- Subdivision of agricultural land to housing development is increasing at an alarming rate. Subdivision of surrounding tracts would potentially increase the value of landowners' tracts. The community will lose open space and the aesthetic aspect of an open, less developed valley. Subdivision and development will decrease habitat available for wildlife, and subsequently hunting and wildlife viewing opportunity. This could reduce eco-tourism dollars to local communities. Ultimately land values may increase if wildlands can be protected. Such areas as the Mission Valley will be rare commodities in the private land market in the future. The tribes have expressed objections to the Service purchasing properties on the Flathead Reservation. The Tribal council has indicated that acquisition by the Service would reduce their land base and lessen their chance to repurchase these lands.

Public Use

- Conservation groups and local citizens expressed a desire to maintain open space for certain compatible uses, such as hiking, bird watching, and photography. Groups also believe that the community will economically benefit from eco-tourism, local recreation, hunting, and fishing. With the growing human population of the Mission Valley, there is an expressed need for increased outdoor wildlife educational opportunity for the public.

Related Actions

The Confederated Salish and Kootenai Tribes own Ninepipe (2,062 acres) and Pablo (2,542 acres) National Wildlife Refuges with U.S. Fish and Wildlife Service managing the wildlife and upland natural resources administered by the National Bison Range office. There are also 3,400 acres of State of Montana Wildlife Management Areas, 3,063 acres of Federal Waterfowl Production Areas, and more than 4,000 acres of tribal trust lands. Together these lands form a core habitat for ground nesting wildlife of 15,000 acres. The land stewardship partnership philosophy developed in the Ninepipe area over the last several years has been successful at protecting habitat on these public tribal lands.

Partners for Wildlife Program (PFW), administered by the Fish and Wildlife Service, began in 1990 and has already completed several projects in restoration or enhancement of wetlands or stream corridors on 271 sites. Totals include 423 wetland acres, 11 upland sites for 737 acres, 11 riparian sites for 91 acres, and 11 in stream fisheries projects for 21,000 feet. PFW projects were conducted in cooperation with private individuals, state agencies, the tribes, Natural Resource Conservation Service, Agricultural Stabilization Conservation Service, Mission Valley Conservation Foundation, Ducks Unlimited, and Pheasants Forever.

Lake County Purple Loosestrife Management Committee, in another partnership with the Service, addresses weed problems on federal and non-federal lands. The committee includes private landowners, county, tribal, Montana Department Fish, Wildlife and Parks (MTFWP), Service personnel, and nongovernmental organizations (i.e., Audubon, The Native Plant Society, and The Flathead Resource Organization).

The Montana Cooperative Wildlife Research Unit (MCWRU) (United States Geological Survey) has collaborated with Federal, State, Tribal, and private land managers to conduct research on ground-nesting birds in the Ninepipe area since 1986. This research has provided much insight into the waterfowl and grassland songbird productivity of this area and its importance for conservation efforts.

The Owl Research Institute has been working in the area since 1988. Its efforts have demonstrated high nesting and migratory use of the area by many raptor species. The Institute also provides conservation information through educational outreach to the surrounding communities.

The local environmental community is large, diverse, and extremely motivated. For example, The Mission Valley Conservation Foundation was established in 1994 with individuals from the local community and spearheaded efforts for three riparian restoration projects and reintroduction of trumpeter swans. Local agricultural communities are receptive to wetland and wildlife conservation practices including protection of grizzly bear habitat. In addition, wildlife represents a land-use priority to a substantial and growing number of private landowners. They

express continued interest in assisting the Service and all partners in reaching habitat protection goals that will decrease the threat of subdivision and sub-urbanization of their community.

National Wildlife Refuge System and Authorities

The Service proposes to protect lands within the project area through conservation easements to enhance the survival prospects of endangered and threatened species in the area, and to protect and maintain wetland habitat for migratory birds and other species of animals and plants. The proposed expansion and resource protection actions would be consistent with the mission and guiding principles for the management and general public use of the National Wildlife Refuge System.

Guiding Principles of the National Wildlife Refuge System

1. **Habitat.** Fish and wildlife will not prosper without high-quality habitat, and without fish and wildlife, traditional uses of refuges cannot be sustained. The Refuge System will continue to conserve and enhance the quality and diversity of fish and wildlife habitat within refuges.

2. **Public Use.** The Refuge System provides important opportunities for compatible wildlife-dependent recreational activities involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

3. **Partnership.** America's sportsmen and women were the first partners who insisted on protecting valuable wildlife habitat within wildlife refuges. Conservation partnership with other Federal agencies, State agencies, Tribes, organizations, industry, and the general public can make significant contributions to the growth and management of the Refuge System.

4. **Public Involvement.** The public should be given full and open opportunity to participate in decisions regarding acquisition and management of our national wildlife refuges.

The Conservation Easement Program in Western Montana would be administered as part of the Refuge System and operated under a Wildlife Management Area in accordance with the overall mission of the National Wildlife Refuge System. The mission of the National Wildlife Refuge System is to preserve a national network of lands and waters for the conservation and management of fish, wildlife, and plant resources of the United States for the benefit of present and future generations. The broad goals of the National Wildlife Refuge System describe the conservation of the nation's wildlife resources for the ultimate benefit of people.

The Goals of the National Wildlife Refuge System

1. To preserve, restore, and enhance the natural ecosystems of all species of animals and plants that are endangered or threatened with becoming endangered.
2. To perpetuate the migratory bird resource;
3. To preserve a natural diversity and abundance of fauna and flora on refuge lands;
4. To provide an understanding and appreciation of fish and wildlife ecology and the human role in the environment;
5. To provide refuge visitors with high-quality, safe, wholesome, and enjoyable recreational experiences oriented toward wildlife, to the extent these activities are compatible with the purposes for which the refuge was established.

Conservation of additional wildlife habitat in the Mission Valley area would also continue to be consistent with the following policies and management plans:

1. *Five Valleys Joint Venture Project (FVJVP 1992)*
2. *North American Waterfowl Management Plan (USFW 1994)*
3. *Conservation of Avian Diversity in North America (USFW 1990)*
4. *Grizzly Bear Recovery Plan (USFW 1993)*
5. *Peregrine falcon Recovery Plan (USFW 1984)*
6. *Gray Wolf Recovery Plan (USFW 1987)*

The Habitat Protection and Land Acquisition Process

Once an approved Mission Valley WMA boundary is designated, conservation easements may be purchased. Although it is the intent of the Service to mainly purchase conservation easements as a type of habitat protection for this project, other various means could be used for habitat protection through: 1) the purchase of fee title; 2) no-cost transfers; 3) long-term leases; 4) donation; and 5) exchanges. It is the established policy of the Service to acquire land or interests in land from willing sellers only. The authorities for the acquisition of the proposed additions are the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(b)(1), as amended and the Refuge Recreation Act of 1969 (16 U.S.C. 460k-460k-4), as amended. Acquisition funds would be made available through the Land and Water Conservation Fund Act of 1965, or other sources, to acquire lands, waters, or interest therein for fish and wildlife conservation purposes. The Federal monies used to acquire conservation easements on private lands through the Land and Water Conservation Fund are derived primarily from oil and gas leases on the outer continental shelf, excess motorboat fuel tax revenues, and sale of surplus Federal property.

The basic considerations in acquiring interest in land are: 1) biological significance of the land; 2) existing and anticipated threats to wildlife resources; and 3) landowners' willingness to sell or otherwise make property available to the project. The purchase of conservation easements proceeds according to availability of funds.

CHAPTER 2. ALTERNATIVES, INCLUDING THE PREFERRED ALTERNATIVE

Chapter 2 describes two alternatives: a no action alternative, and an action alternative that identifies a conservation easement program and provides Service authority to acquire conservation easements as part of the Mission Valley Wildlife Management Area. Under the no action alternative, the proposed conservation easement program would not be established; no Service conservation easement program would exist in the study area identified in this EA. The action alternative, which is the preferred alternative, would include a new approved WMA boundary. Potential impacts occurring in the amount of easement acreage acquired and protection of habitat types through conservation easements are evaluated.

If the preferred alternative is selected, current and future conservation easements acquired by the U.S. Fish and Wildlife Service are administered in accordance with Executive Order 12996, *Management and General Public Use of The National Wildlife Refuge System (1996)* and the *National Wildlife Refuge System Improvement Act (1997)*. Management activities would include monitoring the properties to insure that landowners did not violate the terms of the easement. The Service would continue to monitor the status and recovery of endangered, threatened, and candidate species; other requested activities with landowners permission could include controlling nonnative species; restoring habitat for native species; developing and providing wildlife-dependent recreational, interpretive and educational services would also continue; and coordinating with Tribal, State, and Federal agencies. A comprehensive conservation plan is being developed for all lands managed by the National Bison Range Complex, including the proposed Mission Valley WMA, to provide detailed management guidance with public Federal, Tribal, and State coordination.

Alternative A. No Action

Under the no action alternative, the Service's current approved National Wildlife Refuge and Waterfowl Protection Area boundaries within the Mission Valley would remain unchanged; no Service WMA program would exist on the approximately 79,500 acre study area. Existing wildlife habitat would be protected through the land-use and regulatory controls administered by Tribal, Federal, State, and County government agencies. The no action alternative could hamper the protection effort, and result in the continued decline (i.e., habitat fragmentation) of habitat for listed species and migratory birds. Under this alternative, subdivision and development would conceivably continue at the present rate or accelerate. Although this alternative would be of no cost to the Service, long-term benefits to wildlife and the public would likely be lost and the protection of habitat through conservation agreements and land additions would be a lost opportunity.

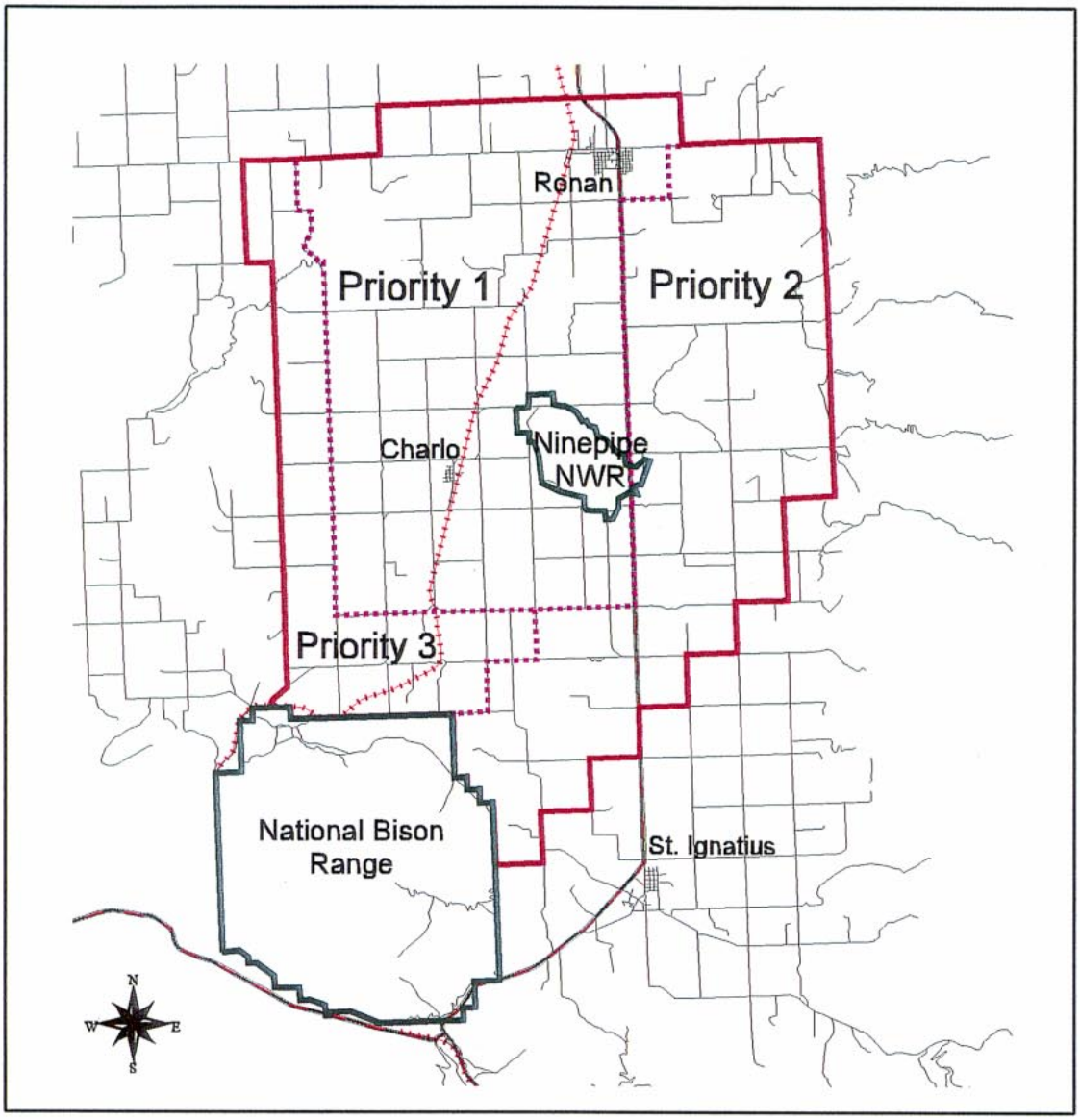
Alternative B. Protection of Wetland, Prairie Grasslands and Riparian Habitat

Under Alternative B, the Service would establish a Conservation Easement Program in the Mission Valley. A Wildlife Management Area boundary would be established to seek protection of approximately 13,000 acres of wildlife and grassland habitat through perpetual conservation easements. The priority areas for acquisition of easements would be centered on lands surrounding the Ninepipe National Wildlife Refuge, and juxtaposed lands that would provide linkage corridors among other protected areas (see Figure 3). Lands protected by less-than perpetual programs (i.e., waterbank program) or other short-term agreements would not be considered protected. Either the Service would contact landowners of high priority subject tracts, or interested landowners could contact Service for consideration.

Acquisition efforts would concentrate on priority areas and subject tracts of quality habitat (wetland and upland grasslands) for ground-nesting and migratory birds and listed species. The priority areas would be based on juxtaposition to protected areas, perceived treats from urban development, environmental risk, and wildlife habitat potential.

The Service is required under Executive Order 12996 (March 25, 1996) to identify existing wildlife-dependent recreational activities on lands proposed for acquisition, and to determine which would be allowed to continue on acquired lands on an interim basis until refuge management planning is completed. Under the preferred alternative, all conservation easements to be acquired are currently in private ownership. Wildlife-dependent recreational activities presently occur on controlled or restricted basis at the desecration of the private landowner. Under this alternative, the landowner would still make the decision on access of the public to their property.

Priority Areas for the Conservation Easement Program Mission Valley Montana



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Priority Boundaries
National Wildlife Refuge
Study Area
Roads
Highways

Figure 3

CHAPTER 3. AFFECTED ENVIRONMENT

For the purpose of evaluating conservation easements within the Mission Valley, the Service identified lands of interest in the study area. This study area includes land that historically existed as a part of a network of grasslands, wetlands and riparian habitats in the Mission Valley. This chapter describes the existing biological, social, economic, historic, and archaeological resources that would most likely be affected by this action.

Biological Environment

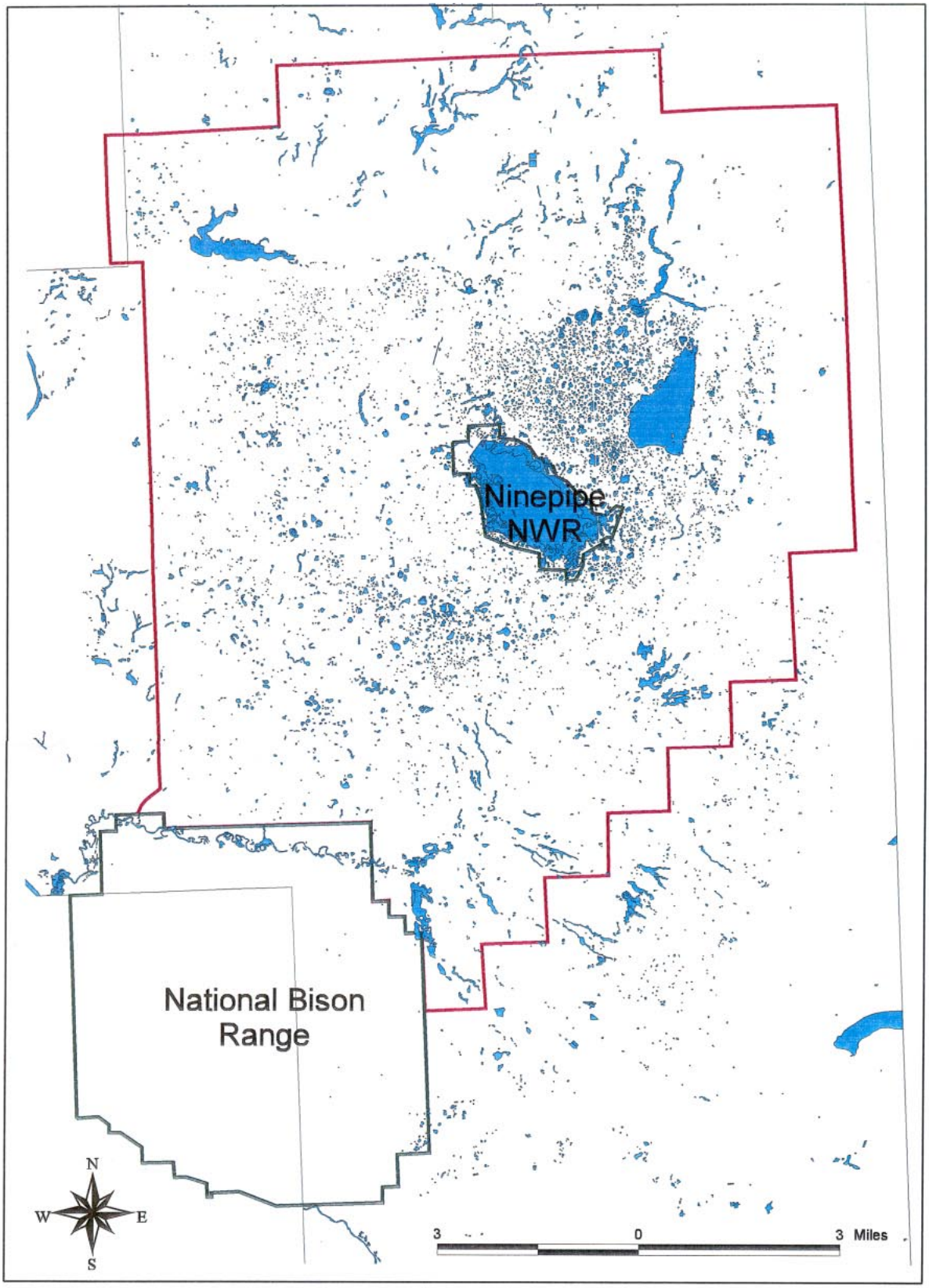
The Ninepipe ecosystem is an intermountain grasslands with wetlands interspersed in high densities (see Figure 4). It is located approximately 50 miles north of Missoula, Montana and 60 miles south of Glacier National Park. The Mission Mountains border the area on the east, the Moiese Hills on the west, and National Bison Range on the south.

The Ninepipe area exhibits excellent species diversity, from waterfowl to short-eared owls (*Asio flammeus*), grizzly bears, white-tailed deer (*Odocoileus virginianus*), wading birds, black terns (*Chlidonias niger*), osprey (*Pandion haliaetus*), rubber boas (*Charina bottae*), and prairie rattlesnakes (*Crotalus viridis*). More than 100 species of neotropical migrant songbirds use the area.

There is important seasonal use of the area by the rare or special-interest species, such as the threatened bald eagle, endangered peregrine falcon, common loon (*Gavia immer*), long-billed curlew (*Numenius americanus*), river otter (*Lutra canadensis*), trumpeter swan, Virginia rail (*Rallus limicola*), and black-necked stilt (*Himantopus mexicanus*).

Thirty species of shorebirds, waders, gulls, and terns commonly use the wetlands for habitat during migration. Caspian terns (*Sterna caspia*), Forester's terns (*Sterna forsteri*), and black terns nest in the area along with all five species of grebes, great blue herons (*Ardea herodias*), American bitterns (*Botaurus lentiginosus*), American avocets (*Recurvirostra americana*), Wilson's phalaropes (*Phalaropus tricolor*), and sora (*Porzana carolina*). The highest nest success was found for common snipe (*Gallinago gallinago*) at 85 percent.

The Mission Valley area is an extremely good area for raptors with high nesting concentrations of ground nesting short-eared owls and northern harriers (*Circus cyaneus*). Short-eared owls range in nest densities from one nest per 5.5 acres (Holt & Leasure 1993) to one nest per ten acres (Montana Cooperative Wildlife Research Unit, MCWRU) with 65 percent Mayfield nest success. Northern harriers also have a high nest density with 40 percent nest success (MCWRU). Tree nesting species include great horned owls (*Bubo virginianus*) and long-eared owls (*Asio otus*). Christmas Bird Counts provide evidence of many birds of prey using the area at densities of 6-7 birds per square mile with up to 230 rough-legged hawks (*Buteo lagopus*), 20-30 red-tailed hawks (*Buteo jamaicensis*), and 10-20 snowy owls (*Nyctea scandiaca*) winter in the Pablo and Ninepipe NWR areas (D.W. Holt). The rough-legged hawk figures are from a roosting



Study Area
National Wildlife Refuge
Wetland Areas

National Wetland Inventory

Figure 4

area where concentrations are the highest recorded in the United States (pers. comm. Chad Olsen). Other species seen include gyrfalcons (*Falco rusticolus*), northern goshawks (*Accipiter gentilis*), bald eagles, and prairie falcons (*Falco mexicanus*).

Approximately 20 species of waterfowl regularly use the area for nesting, and more than 30 species use the area during migration. For many species of breeding ducks this area achieves some of the highest pair densities (five pairs per wetland acre) and nest success (43 percent) within the U.S., with Sandsmark WPA achieving 75 percent success in some years (Service pair counts and MCWRU research). Mallards (*Anas platyrhynchos*), northern shovelers (*Anas clypeata*), gadwalls (*Anas strepera*), redheads (*Aythya americana*), and cinnamon teal (*Anas cyanoptera*) are the most common nesting ducks.

The Mission Valley is an important breeding and staging area for a large portion of the Flathead Valley Canada goose (*Branta canadensis*) population. The Valley also supports a large colony of great blue herons (*Ardea herodias*) and the largest double-crested cormorant (*Phalacrocorax auritus*) nest colony west of the continental divide in Montana.

More than 50 species of neotropical migrant songbirds use the area and 14 nest locally. Vesper (*Pooecetes gramineus*), savannah (*Passerculus sandwichenis*), and grasshopper sparrows (*Ammodramus savannarum*) are grassland species that have been found to be declining nationally and statewide (Carter & Barker 1993) nest in the Mission Valley area. Though vesper and grasshopper sparrows have too low nest numbers to determine nest success numbers, meadowlarks (*Sturnella neglecta*) have 20 percent and savannah sparrows have 25 percent nest success (MCWRU research). Three species of hummingbirds (calliope, rufous, and black-chinned) also use the area.

Federal endangered or threatened species have used or use the area; endangered gray wolf, threatened bald eagle,endangered peregrine falcon, and threatened grizzly bear. Grizzly bears frequently move out of the Mission Mountain Wilderness by way of riparian corridors, and use parts of the valley floor as far as five miles from the base of the mountains. There is a peregrine falcon hack site on the Crow Waterfowl Production Area that fledged three young in each year, 1995, 1996, and 1997. Bald eagles and peregrine falcons are frequently seen foraging on Ninepipe NWR and surrounding area.

The native plant community of prairie grasslands consist of bunchgrasses dominated by bluebunch wheatgrass (*Agropyron spicatum*), rough fescue (*Festuca scabrella*) and Idaho fescue (*Festuca idahoensis*). However, native grasslands have largely been replaced by introduced grasses, dense nesting cover, and an alfalfa-hay-based agriculture. The native vegetation on most unplowed sites has been overgrazed and severely damaged, but there are opportunities to restore native vegetation.

Rare or uncommon plant communities occurring in the Ninepipe area include three state endangered, two state threatened, and 14 state sensitive species.

A Section 7 Intra-Service consultation has been completed for this project. The consultation concluded that to acquire and protect lands within the study area would benefit the endangered and threatened species.

Social and Economic Considerations

There are three communities that fall within the Mission Valley study area and all have populations less than 2,000; Charlo, Ronan, and St. Ignatius. All are rural communities of tribal and non-tribal members on the Flathead Indian Reservation. Many of the rural public are cattle ranchers or farmers. The communities have economically benefited from birdwatchers, hunters, and fishermen that use the Ninepipe area. There is a high seasonal influx of eco-tourists in the summer that stop and birdwatch at Ninepipe National Wildlife Refuge, while many birdwatchers from Missoula use the area year around. Pheasant hunting is one of the most popular hunting pursuits in the area; in 1994 more than 300 hunter vehicles were counted in the Mission Valley area. Opening day of the fishing season is also very popular at Ninepipe Reservoir and on tribal land nearby Kicking Horse Reservoir.

Agricultural Resources

The majority of land use is irrigated farmland for alfalfa, grass hay, and pasture for cattle production. Dryland farming of small grains and hay occurs less often. Both land uses can be compatible with wildlife use and provide forage for livestock. Agricultural practices within the proposed acquisition areas are less intensive than in many parts of the United States. Because of this, the valley has experienced less cultivation and chemical use that is associated with cropping.

Public Use and Wildlife-Dependent Recreational Activities

Lands identified in the study area are privately owned. No public hunting or fishing occurs on the private agricultural lands within the study area without the landowner's permission. Recreational fishing does occur where public access is allowed. Public uses on the Ninepipe Refuge lands include hiking, sightseeing, and bird watching. Hunting is not permitted. However, fishing is permitted with restrictions.

Cultural Resources

The U.S. Fish and Wildlife Service, as a federal agency, has a trust responsibility to Tribes which includes the protection of the sovereignty of the Tribal government and preservation of Tribal culture and other trust resources. The easement program does not compromise Tribal jurisdiction or Tribal rights because it deals only with willing sellers of private land for an easement. The protection of trust resources is enhanced with the easement program by conservation of wildlife habitat and protection of resources from land conversion and development.

If fee title is optioned by the Service, archaeological and historical resources within the proposed project area would receive protection under Federal laws mandating the management of cultural resources. These laws include, but are not limited to, the Archaeological Resources Protection Act, the Archaeological and Historic Preservation Act, the Native American Graves Protection and Repatriation Act, and the National Historic Preservation Act.

Currently the Service does not propose any project, activity, or program that would result in changes in the character of, or would potentially adversely affect, any historic cultural resource or archaeological site. When such undertakings are considered, the Service would take all necessary steps to comply with section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The Service would also pursue proactive compliance with section 110 of the NHPA to survey, inventory, and evaluate cultural resources.

The Confederation of Salish and Kootenai Tribes believe that the non-Indian population, within the Reservation, has a significant impact on their culture and heritage and they are opposed to additional development that would impact their traditional ways of life. They are involved in an active land purchase program within the Reservation that returns privately owned land to the Tribe.

Contaminants and Hazardous Wastes

The areas identified for the proposed Conservation Easement Program are not listed in the current U.S. Environmental Protection Agency, Region 8, State of Montana, *National Priorities List Sites (NPL) August 11, 1997*. The NPL identifies hazardous waste sites requiring cleanup action under the Superfund law.

Fieldwork for the pre-acquisition contaminant survey will be conducted prior to the purchase of land interest. The preliminary survey will be conducted on these properties to determine if contaminants pose a threat to fish and wildlife or if they would be a liability to the Service. The Contaminants Coordinator located at Helena, Montana, Ecological Service Office, will be contacted to ensure policies and guidelines are followed before acquisition.

CHAPTER 4. ENVIRONMENTAL CONSEQUENCES

This section assesses the environmental impacts expected to occur from the implementation of Alternatives A or B as described in Chapter 2. Environmental impacts are analyzed by issues for each alternative and appear in the same order as discussed in Chapters 1 and 3.

Effects on the Biological Environment

Wildlife Habitat Protection

Alternative A (No Action) would result in loss of opportunity to protect a historically important grassland and wetland habitat. Degradation of resources on unprotected private lands would continue. Private lands where these resources occur would remain in private ownership and would continue to receive varying degrees of protection. The Service would not conduct habitat protection measures on private lands for restoration or management. These potential impacts could result in the further decline of game, nongame, and listed species. Under this alternative, no conservation easements on private lands would be acquired for protection, restoration, or management in the study area.

Alternative B (Preferred Alternative) would result in a high degree of conservation and management of listed species, wildlife habitats, and biological diversity. This alternative would provide for the Service to protect approximately 13,000 acres of grassland and wetland vegetation. Alternative B would provide protection and potential enhancement of essential habitat and provide for the recovery effort of listed species, such as, the grizzly bear, and peregrine falcon. The protection proposal would also maintain the abundant diversity of animals and plants, while providing a greater potential for resource restoration.

Water Resources

Under **Alternative A** (No Action) ground water could be polluted with increased subdivision septic systems and with the loss of natural filtering systems of wetlands and grassland plant communities. When increased numbers of landowners manipulate or degrade creeks and streams, surface water may decrease in quality and quantity. Subdivision is considerably more hazardous to wetland resources than other land uses, such as agriculture. There is no chance for habitat restoration if the land base is sold in small tracts and houses are built. Development could also change drainage patterns or rate of surface runoff increasing soil erosion and nonpoint pollution. As more people move into the area and land subdivided, water rights could be questioned and challenged to a greater extent than presently. Ground water aquifers would receive more demand, possibly lowering the water levels.

Water that is diverted, used, and then returned on farmed tracts could diminish in quality and quantity because of being contaminated with agricultural pesticides or herbicides related to more intensive farming practices. Tracts that are over-utilized, livestock grazing, or feedlots could also negatively impact water resources from contamination and increasing sediment load.

Under **Alternative B** (Preferred Alternative) water resources would be protected from increased nonpoint pollution from subdivision, development, and draining of wetlands which are prohibited with easement agreements. Wetland developments would capture runoff from irrigation and precipitation decreasing the rate and amount of surface runoff, and increase the quantity of groundwater. Compatible farming practices such as, alfalfa haying, grazing and small grains production would continue while non-compatible farming practices such as potatoes or mint would be discouraged.

Landowners who voluntarily agree to restoration strategies could reduce the intensity of grazing and amount of fertilizer and herbicide applications which would result in improvement to quality of groundwater.

Water rights and a number of acres in the Irrigation District are used in easement appraisals, but they remain with the landowner. Existing and future landowners will continue to be responsible for annual irrigation operations payments and the easement does not result in any Service responsibility for payments. Water rights on the various tracts should not pose any significant problems or costs to this plan.

Effects on the Social and Economic Conditions

Land Ownership

Under **Alternative A**, (No Action) the resources studied by the Service for conservation easements addition to the Mission Valley WMA would remain in private ownership. Farming and ranching opportunities could be reduced with landowners selling tracts in subdivided lots. Landowners that subdivide could increase their revenue by developing housing. With subdivision, tracts would potentially increase in value if there is desire to cluster housing or to keep open space for future housing development. The community will lose open space and aesthetic aspect of an open, less developed valley. Subdivision and development will decrease habitat available for wildlife, and subsequently hunting and observation could reduce eco-tourism dollars to local communities.

Under **Alternative B**, (Preferred Alternative) no new or additional land-use regulations would be created by the Service within the approved boundary of the conservation easement. The land use would remain zoned as agricultural with conservation easements for wildlife protection and limited recreation use.

Lands under easements would be monitored to assure that habitat protected by the easement was not destroyed. The easement program would allow for compatible farming and ranching to continue. However, if the landowner is willing, then land use patterns could be modified to provide more wildlife value or maintain compatibility. If a landowner is unwilling to modify land use to maintain compatibility, the Service might not purchase the conservation easement.

Uses of fee title land for roads, utilities, pipelines, or other rights-of-way would be regulated by the Service. Any impacts to wildlife resources or habitats would need to be mitigated before the activity could occur.

Preventing subdivision and development could decrease the tax base. However, open space could be a net saver of tax dollars when compared to the revenues generated and costs associated with residential development. The proposed action would affect location and distribution but not rate or density of human population growth. There may be positive effects to eco-tourism from increased opportunities for wildlife viewing and hunting pursuits. Open space also may enhance the property value of abutting land. Open space and undeveloped lands will become more valuable in the future as residential development encompasses more rural lands.

Landowners could collaborate and forge partnerships and cluster easements to increase the wildlife value to their properties. Due to easements not affecting private property rights for access, landowners could decrease, maintain, or increase access to individuals for hunting or wildlife viewing opportunities.

As conservation easements are acquired on private lands by the Service, these lands would be monitored / managed pursuant to the National Wildlife Refuge System Administration Act and other Federal laws and regulations as described in Chapter 1.

Upon completion of the acquisition planning process and the identification of an approved Wildlife Management Area boundary, the Service would have the authority to work with willing landowners to purchase or enter into agreements for habitat protection. Service policy is to acquire lands or interest in land only from willing sellers. Landowners would not be required to sell their lands to the Service. As required by law, landowners would be paid fair-market value for real property and interests therein. The fair-market value would be determined by appraisals conducted by professional appraisers meeting Federal standards.

Effects on Public Use

Alternative A, (No Action) certain public uses on private lands would continue to be allowed. Grassland and wetland habitats will continue to be threatened by invasive plant species and human activities, such as urban use.

Alternative B, (Preferred Alternative) through careful planning, the Service could protect wildlife resources and their habitats while providing limited educational and recreational opportunities to the visiting public. It is the Service's hope that local educational institutions and volunteer groups would become active in restoration and educational programs.

Although most wildlands protection will be accomplished by acquiring conservation easements, some lands may be purchased in fee title if conservation easements are not a viable option. Certain public uses on lands acquired in fee by the Service would not be allowed.

To protect nesting, migrating, and foraging species and their habitats, certain areas within the fee title area would not be open to the public. Activities that would result in conflict with the primary purposes of the Ninepipe NWR, or conflict with other uses of Refuge lands would not be allowed. Conservation easements on private tracts would not change the landowners control of public use.

Unavoidable Adverse Impacts

No direct or indirect unavoidable adverse impacts to the environment would result from the selection of Alternative B. The identification of an approved boundary for the Wildlife Management Area would not result in unavoidable adverse impacts on the physical and biological environment. The selection of an approved boundary does not, by itself, affect any aspect of land ownership or values. Once the easement is acquired, the Service would prevent incremental adverse impacts, such as degradation and loss of habitat over time, to the lands with their associated native plants and animals.

Irreversible and Irretrievable Commitments of Resources

There would be no irreversible or irretrievable commitments of resources associated with the selection of an approved Wildlife Management Area boundary. Under the no action alternative, if grassland and wetland habitats are not protected and continue to decline, some plant and animal species could disappear over time, causing an irreversible and irretrievable loss. Once lands are acquired and are actively managed by the Service, there would be irreversible and irretrievable commitments of funds to protect these lands (such as expenditure for fuel, and staff for monitoring).

Short-term Uses Versus Long-Term Productivity

The proposed Wildlife Management Area is intended to maintain the long-term biological productivity of the grassland and wetland ecosystem of Mission Valley. The local short-term uses of the environment following acquisition include managing wildlife habitats and maintaining compatible farming practices. The resulting long-term productivity includes increased protection of endangered and threatened species and maintenance of biological diversity. The public would gain long-term opportunities for wildlife-dependent recreational activities.

Cumulative Impacts

The conservation easements for protecting Mission Valley ecosystem would have long-term positive cumulative impacts on wildlife habitats within the Mission Valley region. The protection of wildlife habitats on private lands would represent a cumulative benefit to the long-term conservation of migratory birds, endangered species, and biological diversity. The conservation easement would protect a broad spectrum of native habitats and conserve important populations of endangered species and other native plants and animals.

CHAPTER 5. COORDINATION AND ENVIRONMENTAL REVIEW

Agency Coordination

The proposal to authorize a boundary for conservation easements by establishing a Mission Valley Wildlife Management Area around Ninepipe National Wildlife Refuge has been discussed with the landowners, conservation organizations, Federal, Tribal, State, County, and City governments, and other interested groups and individuals.

This project has been developing since 1992 as part of a project described as the Five Valleys Joint Venture or Western Montana Project. This environmental assessment deals only with habitat conservation in the Mission Valley. There have been substantial cooperation and coordination already between the Service, Confederated Salish and Kootenai Tribes, Montana Department of Fish, Wildlife and Parks, Montana Cooperative Wildlife Research Unit, and private landowners for wildlife habitat conservation. This project will supplant earlier conservation efforts to make it truly successful by guarding against fragmentation and habitat degradation.

Management activities associated with easements may be funded through other sources, such as Migratory Bird Conservation Fund, Tribal partnerships, Mission Valley Wildlife Foundation, Pheasants Forever, Ducks Unlimited, North American Wetland Conservation Association grants, and Partners for Wildlife.

Partnerships will be maintained to conserve habitat unique to each organization (i.e., tribal management of grizzly bear corridors). There is no implied direction to compromise jurisdiction, integrity, or rights of any entity or organization. The partnership philosophy for managing wildlife is spotlighted in the Ninepipe Ecosystem.

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Appendix A

Endangered, Threatened and Candidate Species
Conservation Easement Project Area
November 21, 1997

Listed species and/or their critical habitat within the project area:

gray wolf	*Canis lupus* (E)
peregrine falcon	*Falco peregrinus* (E)
grizzly bear	*Ursus arctos horribilis* (T)
bald eagle	*Haliaeetus leucocephalus* (T)
water howellia	*Howellia aquatillia* (T)

Proposed species and/or their proposed critical habitat within the project area:

bull trout	*Salvelinus confluentus*

Candidate species within the project area:

Canada lynx	*Lynx canadensis*
*cutthroat trout	*Onchorynchus clarki lewisi*

Status
E = taxa that have been listed as endangered
T = taxa that have been listed as threatened

The species listed here are those reported in the vicinity or surrounding vicinity (County), not necessarily in the proposed project area.

* The U.S. Fish and Wildlife Service has received a petition to list the west slope cut-throat trout (*onchorynchus clarki lewisi*). To this date, a finding has not been made. However, due to the decline in its range and the potential for this species to become a candidate for listing, the cutthroat trout was considered in our analysis.

Appendix B

Distribution List for the Environmental Assessment

Federal and State Congressional Offices
U.S. Senator Max Baucus
U.S. Senator Conard Burns
U.S. Congressman Rick Hill
State Senator Mike Taylor
State Senator Larry L. Baer
State Representative Bob Keenan
State Representative John A. Mercer
State Representative Rick Jore

Federal Agencies

U.S. Department of Agriculture
Farm Service Agency-FMHA
Forest Service - Lolo and Flathead National Forest
Natural Resources Conservation Service

U.S. Department of Interior
Bureau of Indian Affairs
Bureau of Land Management
Fish and Wildlife Service
USGS-National Biological Service

Tribal Councils

Tribes
Confederated Salish and Kootenai Tribes

State and Local Agencies

State of Montana
State of Montana, Office of the Governor
Environmental Quality Council
Montana Coop Wildlife Research Unit
Montana Department of Fish, Wildlife and Parks
Montana Environmental Information Center

Montana Historical Society
Montana Natural Heritage Program
Montana State Library
University of Montana, Flathead Lake Biological Station

Lake County
Lake County Commission
Lake County Community Development
Lake County Conservation District
Lake County Extension Office
Lake County Land Services-Planning
Lake County Weed Office

City of Polson
City Mayor

City of Ronan
City Mayor

City of St. Ignatius
City Mayor

Groups
Alliance for the Wild Rockies
Big Sky Upland Bird Association
Citizens for Better Flathead
Citizens for Scenic Lake County
Craighead Wildlife - Wildlands Institute
Defenders of Wildlife
Dublin Gulch-Weed Control
Ducks Unlimited, Inc - Great Plains Research
Ducks Unlimited, Inc - Kalispell Chapter
Ecology Center
Five Valley Audubon Society
Five Valleys Land Trust
Flathead Audubon Society
Flathead Joint Board of Control
Flathead Lakers
Flathead Land Trust
Flathead Wildlife, Inc.
Flathead Resource Organization
Mission Rangers Saddle Club

Mission Valley Wildlife Foundation
Montana Audubon Council
Montana Association of Conservation Districts
Montana Chapter the Wildlife Society
Montana Ecosystem Defense Council
Montana Environmental Education Association
Montana Land Reliance
Montana Loon Society
Montana Riparian and Wildlife Association
Montana Wilderness Association
Montana Wilderness Society
Montana Wildlife Federation
Montanas for Multiple Use
National Wildlife Refuge Association
Native Plant Society, Missoula Chapter
Nature Conservancy, Big Sky Field Office
Northern Lights Res. & Educ. Institute
Northwest Montana Woolgrowers Association
Owl Research Institute Inc.
Pheasants Forever
Polson Outdoors Inc.
Public Land Access Association
Ravalli Cooperative Fish and Wildlife Association
Rocky Mountain Elk Foundation
Safari Club International, Five Valley's Chapter
Sierra Club, Bitterroot/Mission Group
Swan Citizens Ad Hoc Committee
Trout Unlimited Montana Council
US Citizens Desiring to be Treated As Such
Vital Ground Foundation
Western Montana Fish and Game Association
Western Montana Stockgrowers Association
Wilderness Society

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